

CDR
COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JUL 16 2003

COURT U.S. DISTRICT COURT
By _____
Deputy _____

REBECCA REMELY
Plaintiff,

VS.

ETAN GENERAL, INC., et al.,
Defendants.

Case No. 3 01CV 2658-K

MEDIATION REPORT

TO THE HONORABLE UNITED STATES DISTRICT COURT

Manuel H. Newburger, court-appointed mediator, hereby submits his report to the Court.

The parties convened in Dallas, Texas, to mediate in accordance with the Court's order.

Plaintiff appeared in person and with one of her attorneys of record and Defendant sent a corporate representative with settlement authority and two of its attorneys.

The mediation lasted one full day, at the end of which the parties reached an agreement (subject to Court approval) to settle on a class-wide basis. As an attorney experienced in class action matters, the mediator is pleased to report that there was no evidence of collusion in reaching a class settlement, that the mediation was a hard-fought, arms length negotiation, and that the attorneys for the parties were zealous, but professional advocates for their clients.

Respectfully submitted,

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By:

Manuel H. Newburger
Manuel H. Newburger
State Bar No. 14946500

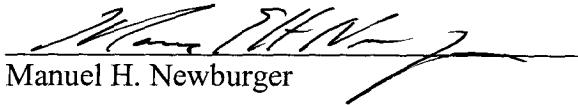
CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing has been served on the following attorneys of record by facsimile transmission on this, the 15 day of July, 2003, addressed as follows:

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Manuel H. Newburger